

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

LAKISHIA N. BOYD,)	
)	
<i>Plaintiff,</i>)	
v.)	Case No. 3:20-cv-321
)	Roane County Circuit Court
)	Case No. 2020-CV-71
YOUTH OPPORUTNITY)	
INVESTMENTS, LLC,)	
)	
<i>Defendant.</i>)	

NOTICE OF REMOVAL

TO: The Honorable Judges of the United States District Court,
Eastern District of Tennessee, Knoxville Division

Please take notice that Defendant Youth Opportunity Investments, LLC, by filing this Notice of Removal and related papers hereby removes this action from the Circuit Court for Roane County, Tennessee to the United States District Court for Eastern District of Tennessee, Knoxville Division, pursuant to 28 U.S.C. §1441(a) and 28 U.S.C. §1332 (diversity). The grounds for this removal of this civil action are as follows:

BACKGROUND

1. This action was filed in the Roane County Circuit Court on or about July 6, 2020. In her complaint, Plaintiff raises claims for retaliatory discharge arising out of her employment under state law theories.

2. Defendant was served on or about July 9, 2020. This Notice was filed within 30 days after service.

3. The removal is timely pursuant to 28 U.S.C. § 1446(b). Copies of all process and pleadings served upon Defendant in the state court action are attached hereto collectively as **Exhibit A** and incorporated herein by reference.

REMOVAL IS PROPER BASED ON DIVERSITY JURISDICTION

4. Jurisdiction in this case is proper in the United States District Court pursuant to the provisions of 28 U.S.C. §1332. Plaintiff is a citizen and resident of Roane County, Tennessee. [Compl. ¶ 1.] Defendant is a limited liability company organized and existing under the laws of the State of Indiana. [Compl. ¶ 2.] *See Delay v. Rosenthal Collins Grp., LLC*, 585 F.3d 1003, 1005 (6th Cir. 2009) (“When diversity jurisdiction is invoked in a case in which a limited liability company is a party, the court needs to know the citizenship of each member of the company.”). Defendant has five members:

- a. Jim Hill, a citizen and resident of Florida;
- b. Ron Hunter, a citizen and resident of Indiana;
- c. Brian Neupaver, a citizen and resident of Florida;
- d. Gary Sallee, a citizen and resident of Indiana; and
- e. Dan Zachary, a citizen and resident of Indiana.

No member of Defendant is a resident of Tennessee, so complete diversity among the parties exists.

5. The amount in controversy exceeds \$75,000. [Compl. ¶ 61 (B) and (C).]

GROUND FOR REMOVAL

6. The action is being removed pursuant to 28 U.S.C. § 1441, *et seq.* This has jurisdiction over this civil action pursuant to 28 U.S.C. § 1332 (diversity).

7. Complete diversity of citizenship exists between the parties.

8. The amount in controversy exceeds \$75,000.

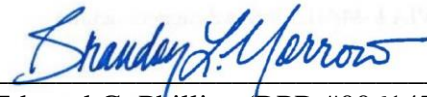
9. This Notice of Removal is timely filed because it was submitted within 30 days of the date Defendant was served with the Complaint in this civil action. 28 U.S.C. § 1446(b).

10. This Court embraces the county in which the state court action was filed; thus, this Court is the proper venue.

11. Pursuant to 28 U.S.C. § 1442(d), a Notice of Filing of Notice of Removal will be filed with the clerk for the local court and may be served upon the Plaintiff. A true and correct copy of the written Notice of Filing of Notice of Removal is attached thereto as **Exhibit B** and is incorporated herein by reference. Plaintiff is hereby notified to proceed no further in State Court.

WHEREFORE, Defendant requests that this action be removed and requests this Court to assume full jurisdiction over the case herein as provided by law.

Respectfully submitted this 22nd day of July 2020.



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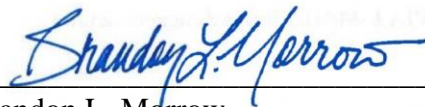
Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on the 22nd day of July 2020, I served a copy of the foregoing **Notice of Removal** to Plaintiff's counsel via First Class U.S. Mail, postage prepaid, addressed as follows:

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Brandon L. Morrow